

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DOCKET NUMBER: 04-10063-RCL

UNITED STATES OF AMERICA

V

MOTION TO CONTINUE

IVAN RODRIGUEZ

Now comes the defendant, IVAN RODRIGUEZ, and hereby moves that this Honorable Court continue his scheduled for Sentencing on Monday, November 7, 2005, to Wednesday, December 14, 2005, or any date thereafter that is convenient with this Honorable Court and Assistant United States Attorney Peter Levitt.

As grounds therefore, the defendant states that his attorney is scheduled to begin a four day trial at United States District Court, on Monday, November 7, 2005, in the matter of United States v Rashuan Scott. As further grounds, the defendant states that his attorney has been out of work for the past five days due to his physical condition and therefore has not been able to complete the Sentencing Memorandum for this Honorable Court; nor has the defendant's attorney had a recent opportunity recent to visit the defendant and review the sentencing issues with him. As final grounds, the defendant states that Assistant United States Attorney Peter Levitt has assented to this request provided that the time from November 7, 2005 through December 14, 2005, is excluded from the Speedy Trial Act.

WHEREFORE, the defendant moves that this Honorable Court continue his sentencing date to Wednesday, December 14, 2005.

By his attorney,

/s/ C. Samuel Sutter kas
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